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Attorneys for Defendant Security Paving Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OPERATING ENGINEERS' HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA, *et al.*,

Plaintiffs,

v.

SECURITY PAVING COMPANY, INC., a
California Corporation,

Defendant.

Case No. 3:21-cv-01137-VC

**NOTICE OF PARTIES
CONTINUING TO
CONSUMMATE SETTLEMENT**

TO THE COURT AND ALL COUNSEL OF RECORD:

1. On December 31, 2021, the Court took notice of the Parties settlement and ordered this matter dismissed without prejudice. (Dkt. 25). The Court also ordered that the order should be vacated if the Parties notified the Court within 60 days that the settlement was not completed. (Dkt. 26).

2. On March 1, 2022, the Parties filed a notice requesting this matter not be dismissed until completion of the settlement. The Court continued the conditional dismissal through April 1, 2022.

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3. On April 1, 2022, Plaintiffs were informed that the Audit was complete and were provided with the audit report. Plaintiffs have issued a demand to Security Paving Company, Inc. for amounts due to the Trust Funds pursuant to the audit.

4. On April 6, 2022, the Parties filed a notice requesting this matter not be dismissed. The Court continued the condition dismissal through April 29, 2022.

5. On April 20, 2022, the Employer provided a spreadsheet to Plaintiffs disputing the audit. The spreadsheet was provided to the Auditor for their analysis. The Auditor has requested backup documentation. Plaintiffs intend to set-up electronic link for Defendant to upload and provide backup documentation. Upon receipt of the documents, Auditor to conduct analysis of same to determine whether revisions to audit report are warranted.

6. The Parties hereby respectfully request that the conditional dismissal be continued for approximately sixty (60) days to allow for Defendant to provide backup documentation and the Auditor to complete analysis of same, including any revisions to audit report.

Respectfully submitted,

DATED: April 29, 2022

SALTZMAN & JOHNSON LAW CORPORATION

By: _____ /S/

Ana P. Hallmon
Attorneys for Plaintiffs, Operating Engineers'
Health and Welfare Trust Fund for Northern
California, *et al.*

DATED: April 29, 2022

By: _____ /S/

Robert H. Shaffer Jr.
Attorneys for Defendant, SECURITY PAVING
COMPANY, INC., a California Corporation

CERTIFICATION RE: SIGNATURES

I attest that concurrence in the filing has been obtained from the other Signatory.

DATED: April 29, 2022

By: _____ /S/

Ana P. Hallmon